

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MUKESH SINGH,

Plaintiff,

v.

DALE NELSON,

Defendants.

Case No. C08-5241 RJB/KLS

ORDER TO SHOW CAUSE

This case has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. This matter comes before the court on Plaintiff's filing of a motion to proceed *in forma pauperis* and a proposed civil rights complaint under 42 U.S.C. § 1983. (Dkt. # 1). Plaintiff is currently detained at the Northwest Detention Center (NWDC) in Tacoma, Washington. To file a complaint and initial legal proceedings, a plaintiff must file a filing fee of \$350.00 or file a proper application to proceed *in forma pauperis*.

The court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). However, the court has broad discretion in denying an application to proceed *in forma pauperis*. *Weller v. Dickson*, 314 F.2d 598 (9th Cir. 1963), *cert. denied*, 375 U.S. 845 (1963). Several district courts have ruled that denial of *in forma pauperis* status is not unreasonable when a prisoner is able to pay the initial expenses required to commence a lawsuit. *See Temple v. Ellertorpe*, 586 F.Supp. 848 (D.R.I. 1984); *Braden v. Estelle*, 428 F.Supp. 595 (S.D.Tex.

1 1977); *U.S. ex rel. Irons v. Com. of Pa.*, 407 F.Supp. 746 (M.D.Pa. 1976); *Shimabuku v. Britton*, 357  
2 F.Supp. 825 (D.Kan. 1973), *aff'd*, 503 F.2d 38 (10th Cir. 1974); *Ward v. Werner*, 61 F.R.D. 639 (M.D.Pa.  
3 1974).

4 In his application to proceed *in forma pauperis*, Plaintiff indicates that owns a house, business and  
5 car. (Dkt. # 1, p. 2). However, he failed to state the value of these assets as requested on the application  
6 form. *Id.*, p. 2, Question 5. The value of these assets would assist the Court in determining Plaintiff's  
7 eligibility for *in forma pauperis* status.

8 Accordingly, **IT IS ORDERED:**

- 9 (1) Plaintiff shall file an amended application **no later than May 16, 2008**, which includes the  
10 value of the assets as requested on the application form (Dkt. # 1, p. 2, Question 5);  
11 (2) The Clerk is directed to send a copy of this Order to Plaintiff.

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13 DATED this 25th day of April, 2008.

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17 Karen L. Strombom  
18 United States Magistrate Judge  
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